REMARKS

This is a full and timely response to the final Official Action mailed **December 29, 2004.** Reconsideration of the application in light of the following remarks is respectfully requested. Claims 1-42 are currently pending.

In the final Office Action, claims 1-13 and 17-39 were rejected as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 5,754,651 to Blatter et al. ("Blatter"), and claims 14-16 and 41 were rejected as unpatentable under 35 U.S.C. § 103(a) over the teachings of Blatter taken alone. Claims 40 and 42 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Blatter and U.S. Patent No. 5,896,414 to Meyer et al. ("Meyer"). For at least the following reasons, these rejections are respectfully traversed.

Claim 1 recites:

An apparatus for extracting messages from a digital data stream containing messages, comprising:
a message processor that receives the digital data stream and extracts message portions from the digital data stream;
a first buffer having a plurality of locations associated with a plurality of channels to store the extracted message portions; and
a second buffer having a plurality of locations associated with the plurality of channels for storing state data corresponding to the extracted message portions.

(emphasis added).

In contrast, Blatter fails to teach or suggest the first or second buffer as recited in claim 1. Blatter teaches a system using an MPEG data stream to transmit broadcast programs as packetized data. (Col. 3, lines 25-26). "The transport stream contains Program Specific Information (PSI) for use in identifying the PIDs and assembling individual data packets to recover the content of all the program channels that comprise the packetized datastream." (Col. 4, 27-32). The PSI is the data extracted from the data stream.

However, Blatter teaches that all the PSI data is sent to a single location within the buffer unit (60). According to Blatter, "[p]ackets that contain PSI information are recognized by unit 45 as destined for the controller 115 buffer in unit 60. The PSI packets are directed to this buffer by unit 65." (Col. 6, lines 36-38).

Thus, Blatter never teaches or suggests that any buffer is divided into locations "associated with a plurality of channels" to store extracted message portions as claimed. The final Office Action fails to indicate how or where Blatter teaches a buffer divided into locations, where those locations are *associated with a plurality of channels*.

Moreover, Blatter does not teach or suggest anything regarding "state data" of messages being extracted from a data stream. Consequently, Blatter does not teach or suggest "a second buffer having a plurality of locations associated with the plurality of channels for storing *state data corresponding to the extracted message portions*" as claimed. The final Office Action also fails to indicate how or where Blatter teaches either state data for messages being extracted or the second buffer divided into a plurality of locations associated with a plurality of channels as claimed. In reality, Blatter does not ever teach or suggest receiving multiple messages simultaneously over different channels. Therefore, Blatter would not teach or suggest tracking the state of those messages being received with a second buffer as claimed. Blatter simply does not teach or suggest "a second buffer having a plurality of locations *associated with the plurality of channels* for storing state data corresponding to the extracted message *portions*."

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed.

Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Consequently, the rejection of claims 1 and 2 based on Blatter should be reconsidered and withdrawn.

Similar to claim 1, claim 3 also recites: "a first buffer having a plurality of locations associated with a plurality of channels to store the extracted message portions; and a second buffer having a plurality of locations associated with the plurality of channels for storing state data corresponding to the extracted message portions." As demonstrated above, Blatter does not teach or suggest the claimed first buffer with locations "associated with a plurality of channels." Blatter does not teach or suggest a second buffer storing state data in a plurality of locations also associated with the plurality of channels.

Blatter does not teach or suggest a single buffer divided into locations corresponding to a plurality of channels. Therefore, Blatter clearly does not teach or suggest two buffers both divided into locations corresponding to the same plurality of channels.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Consequently, the rejection of claims 3-23 based on Blatter should be reconsidered and withdrawn.

Claim 24 recites

A method for extracting messages from a data stream, comprising:
receiving packet data in the data stream;
selectively filtering the packet data;
extracting at least a portion of a message from the packet data;
storing said at least a portion of the message in a first buffer associated with said message processor; and

storing state data corresponding with said at least a portion of the message in a second buffer.

Per Applicant's specification:

By storing the states and content of incomplete messages as they arrive in the packet data, the inventive system can process multiple messages without requiring multiple message extractors because the multi-tasking features of the inventive system store incomplete messages and their states as other messages are being processed and then reloads the incomplete message data at a later time to complete processing. The multi-tasking message extractor according to the present invention reduces the cost of performance by only requiring one message extractor attached to a less expensive RAM rather than multiple message extractors.

(Applicant's specification, p. 2, line 29, *et seq.*)

As demonstrated above, Blatter does not teach or suggest "state data" or a method for

storing state data in a second buffer corresponding to at least a portion of a message stored in

a first buffer. "A claim is anticipated [under 35 U.S.C. § 102] only if each and every element

as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed.

Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Consequently, the rejection of claims

34-35 based on Blatter should be reconsidered and withdrawn.

Claim 36 recites:

A device for extracting messages from a data stream, comprising:
an input interface that receives packet data in the data stream;
a message processor that receives packet data from the data stream and extracts message portions from the packet data;
a first buffer having a first plurality of locations each associated with a different incoming message where portions of that respective message are stored until that message is complete; and
a second buffer having a second plurality of locations corresponding to the first plurality of locations, each location in said second buffer storing data specifying a state of the incoming message being stored in a corresponding location in said first buffer.

As demonstrated above, Blatter does not teach or suggest receiving multiple messages simultaneously. Consequently, Blatter does not teach or suggest dividing a buffer into a first plurality of locations, each location being associated with a "different incoming message." Blatter, moreover, does not teach or suggest state data or a second buffer with a second corresponding plurality of locations storing state data "specifying a state of the incoming message being stored in a corresponding location in said first buffer."
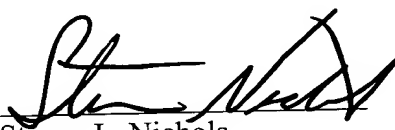
"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Consequently, the rejection of claims 36-42 based on Blatter should be reconsidered and withdrawn.

Blatter also fails to teach or suggest the subject matter of most of the dependent claims filed in the application. For example, Blatter does not teach or suggest a "packet identifier filter [that] provides at least one selected from the group consisting of mode control, filtering control, enable control and masking control for each channel in the message processor." (Claim 7). Blatter does not teach or suggest a "message processor [that] includes: a processor state machine shared between the plurality of channels, wherein the state data from the processor state machine is stored in the second buffer; an address filter control circuit; and a verification circuit that calculates a verification code and compares the calculated verification code with an embedded verification code in the message portion in the packet data." (Claim 17).

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If any fees are owed in connection with this paper which have not been elsewhere authorized, authorization is hereby given to charge those fees to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: 28 February 2005

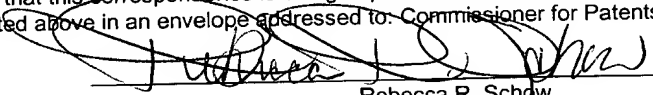Steven L. Nichols
Registration No. 40,326

Steven L. Nichols, Esq.
Managing Partner, Utah Office
Rader Fishman & Grauer PLLC
River Park Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, Utah 84095

(801) 572-8066
(801) 572-7666 (fax)